

Pedestrian Underpass Timeline: TIGER Grant funding drove the process

- June 17: ARRA TIGER Grant application guidelines for transportation projects of regional/national significance published in the Federal Register. ***Includes guidelines for "Protection of Confidential Business Information."*** (attached)
- ~June 29: MDOT initiates process to determine which local projects will be included in statewide TIGER Grant request. States are limited to \$300 million in TIGER Grants.
- June-August: MC-DOT and MDOT back-and-forth over which jurisdiction will apply for TIGER Grant for this project – an ultimately who will be responsible for it.
- July 8: At a meeting with MC-DOT, NIH, NNMC, congressional representatives and others, Clark Construction presents a proposal for a pedestrian/bicycle underpass, wide enough for eventual inter-campus emergency vehicle access, and tied in with small access roads at Rockville Pike to allow ingress and egress at NNMC and NIH, thereby eliminating the traffic signal at South Wood Drive. Lacking unanimous agreement, the proposal was dropped.
- Mid-July: Informally, Clark mentions to MC-DOT the concept of a pedestrian underpass with the inter-campus emergency vehicle access but minus the ingress/egress features.
- July 22: MC-DOT submits formal request to MDOT, that the pedestrian access project be included in the State's TIGER submission. Discussion s focused on WMATA pedestrian tunnel, which MC-DOT deemed would serve more pedestrians and cyclists than deep elevators. MC-DOT also requested the State consider the concept of a pedestrian underpass with inter-campus emergency vehicle access.
- July 29: WMATA publishes its Final Report on Medical Center Metro station pedestrian access.
- August: County begins to prepare TIGER Grant application, in the event MDOT does not include it in the statewide TIGER Grant request.
- Mid-August: Clark shows renderings and detailed engineering of a revised pedestrian underpass concept that allowed for inter-campus emergency vehicle access. Clark does not give MC-DOT copies of the renderings or engineering at that time.
- ~Sept. 1: Clark and MC-DOT settle on licensing agreement whereby MC-DOT can use the renderings for a TIGER Grant application but MC-DOT does not own them. The renderings remain property of Clark. MC-DOT makes clear that any project that moves forward will be subject to open competitive bidding.
- --Sept. 3: County receives engineering renderings and shares with NNMC
- -- Sept. 4. MDOT decides against submitting this project as part of a statewide TIGER Grant but will support a separate MC-DOT TIGER Grant application.
- Sept. 15: Deadline to submit TIGER Grant requests. Three noteworthy applications:
 - MC-DOT \$20 million request for "Bethesda BRAC Multi-Modal Pedestrian Access and Traffic Mitigation" project. Includes "Confidential Business Information" proprietary to Clark Construction.
 - MWCOG's Transportation Planning Board's \$267 million regional transit-oriented request that includes the Bethesda BRAC project.
 - MDOT \$60 million request for intersections improvements at three BRAC communities: Bethesda, Fort Meade, and Aberdeen Proving Grounds.
- Sept. 15: Evening meeting of BRAC Implementation Committee when MC-DOT informs community of application decision.

information. If possible, Web site links to supporting documentation should be provided rather than copies of these materials. At the applicant's discretion, relevant materials provided previously to a Cognizant Modal Administration (as defined below) in support of a different DOT discretionary program (for example, New Starts or TIFIA) may be referenced and described as unchanged. To the extent referenced, this information need not be resubmitted for the TIGER Discretionary Grant application.

B. Contact Information

An application should include the name, phone number, e-mail address and organization address of the primary point of contact for the applicant. The Department will use this information to inform parties of the Department's decision regarding selection of projects, as well as to contact parties in the event that the Department needs additional information about an application.

C. Project Description

An application should include a detailed description of the proposed project and geospatial data for the project, including a map of the project's location and its connections to existing transportation infrastructure. An application should also include a description of how the project addresses the needs of an urban and/or rural area. An application should clearly describe the transportation challenges that the project aims to address, and how the project will address these challenges. This description should include relevant data such as, for example, passenger or freight volumes, congestion levels, infrastructure condition, or safety experience.

D. Project Parties

An application should include information about the grant recipient and other project parties.

E. Grant Funds and Sources and Uses of Project Funds

An application should include information about the amount of grant funding requested, sources and uses of all project funds, total project costs, percentage of project costs that would be paid for with TIGER Discretionary Grant funds, and the identity and percentage shares of all parties providing funds for the project (including Federal funds provided under other programs).

F. Selection Criteria

An application must include information required for the Department

to assess each of the criteria specified in Section II(A) (*Selection Criteria*), as such criteria are explained in Section II(B) (*Additional Guidance on Selection Criteria*), and each of the relevant criteria specified in Section II(C) (*Program-Specific Criteria*). Applicants are encouraged to demonstrate the responsiveness of a project to any and all of the selection criteria with the most relevant information that applicants can provide, regardless of whether such information has been specifically requested, or identified, in this notice. Any such information shall be considered part of the application, not supplemental, for purposes of the application size limits identified above in item A (*Length of Applications*). If an applicant is unsure whether any of the program-specific criteria apply to its project and should be addressed in its application the applicant should contact the Department pursuant to the procedures specified below in Section X (*Questions and Clarifications*). Information provided pursuant to this paragraph must be quantified, to the extent possible, to describe the project's impacts on the Nation, a metropolitan area, or a region. Information provided pursuant to this paragraph should include projections for both the build and no-build scenarios for the project for a point in time at least 20 years beyond the project's completion date or the lifespan of the project, whichever is closest to the present.

G. Federal Wage Rate Requirement

An application must include a certification, signed by the applicant, stating that it will comply with the requirements of subchapter IV of chapter 31 of title 40, United States Code (Federal wage rate requirements), as required by the Recovery Act.

H. National Environmental Policy Act Requirement

An application must detail whether the project will significantly impact the natural, social and/or economic environment. If the NEPA process is completed, an applicant must indicate the date of, and provide a Web site link or other reference to, the final Categorical Exclusion, Finding of No Significant Impact or Record of Decision. If the NEPA process is underway but not complete, the application must detail where the project is in the process, indicate the anticipated date of completion and provide a Web site link or other reference to copies of any NEPA documents prepared.

I. Environmentally Related Federal, State and Local Actions

An application must indicate whether the proposed project is likely to require actions by other agencies (e.g., permits), indicate the status of such actions and provide a Web site link or other reference to materials submitted to the other agencies, and/or demonstrate compliance with other Federal, State and local regulations as applicable, including, but not limited to, Section 4(f) *Parklands, Recreation Areas, Refuges, & Historic Properties*; Section 106 *Historic and Culturally Significant Properties*; Clean Water Act *Wetlands and Water*; Executive Orders *Wetlands, Floodplains, Environmental Justice*; Clean Air Act *Air Quality (specifically note if the project is located in a nonattainment area)*; *Endangered Species Act Threatened and Endangered Biological Resources*; Magnuson-Stevens Fishery Conservation and Management Act *Essential Fish Habitat*; The Bald and Golden Eagle Protection Act; and/or any State and local requirements.

J. Protection of Confidential Business Information

All information submitted as part of or in support of an application shall use publicly available data or data that can be made public and methodologies that are accepted by industry practice and standards, to the extent possible. If the application includes information that the applicant considers to be a trade secret or confidential commercial or financial information, the applicant should do the following: (1) Note on the front cover that the submission "Contains Confidential Business Information (CBI)"; (2) mark each affected page "CBI;" and (3) highlight or otherwise denote the CBI portions. The Department protects such information from disclosure to the extent allowed under applicable law. In the event the Department receives a Freedom of Information Act (FOIA) request for the information, the Department will follow the procedures described in its FOIA regulations at 49 CFR § 7.17. Only information that is ultimately determined to be confidential under that procedure will be exempt from disclosure under FOIA.

K. First Page of Application

The first page of an application should clearly identify (i) what type of project is the proposed project (highway, transit, rail, port or other), (ii) information about the location of the project, including State, city, county and congressional district, (iii) whether